Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 2-15 and 21-25 are pending in the application, with claims 2-4 being the independent claims. The Examiner has indicated that claims 2-4 are in condition for allowance. Claims 1, 5-15 and 17-20 stand rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the enablement requirement. Claims 1, 5, 6, 8-15, 17, 19 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Non-Patent Literature document by D. Wallner *et al.* entitled "Key Management For Multicast: Issues and Architectures," June 1999, The Internet Society (hereinafter "Wallner") in view of Admitted Prior Art (hereinafter "APA"). Claims 7 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wallner in view of APA, and further in view of Non-Patent Literature document by D. McGrew *et al.* entitled "Key Establishment in Large Dynamic Group Using One-Way Function Trees," May 20, 1998, Cryptographic Technologies Group, Glenwood, MD (hereinafter "McGrew").

Claims 1, 17-20, 24, 27 and 29-30 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Claims 2-4, 7, and 9 have been amended to fix typographical erors. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following Remarks, Applicants respectfully request that the examiner reconsider all outstanding objections and rejections and they be withdrawn.

I.   <u>The Rejection Under 35 U.S.C. § 112 Should Be Withdrawn</u>

Claims 1, 5-15, 17, 18 and 20 stand rejected under 35 U.S.C. § 112, first paragraph for

failing to comply with the enablement requirement. Although Applicants believe that the

application does provide support for enablement, in the interest of advancing prosecution

Applicants have cancelled claims 1, 17, 18 and 20. Additionally, claims 5-15 have been

amended to depend from claim 2. Therefore, Applicants respectfully submit that the rejection

under 35 U.S.C. 112 is now moot and should be withdrawn.

II.   <u>The Rejections Under 35 U.S.C. § 103(a) Should Be Withdrawn</u>

Claims 1, 5-15 and 17-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable

over the cited references. In order to expedite prosecution, rejected claims 1 and 17-20 have

been cancelled and rejected claims 5-15 have been amended to depend from allowable claim 2.

Therefore, Applicants respectfully request that the Examiner withdraw the outstanding rejections

under 35 U.S.C. § 103(a). Additionally, Applicants respectfully request that the Examiner

indicate claims 5-15 as allowable as they now depend from allowable claim 2.

III.   <u>New Claims 21-25 Are Allowable</u>

Applicants have added new claims 21-25, each of which depend either from claim 3 or

claim 4. Because claims 3 and 4 are in condition for allowance, dependent claims 21-25 are also

in condition for allowance. Therefore, Applicants respectfully request that the Examiner indicate

claims 21-25 as allowable.

IV.   First Reply and Amendment under 37 C.F.R. §1.116

On April 28, 2005, Applicants filed a first Reply and Amendment under 37 C.F.R. §1.116. In a subsequent telephone conference with Applicants' representative, the Examiner indicated that the application could be in condition for allowance if applicants would consent to suggested Examiner's amendment directed at §101 concerns. Due to the scope of the suggested amendments, Applicants' representative requested a non-final rejection, so that the representative could get applicants' consent before agreeing to the suggested amendments. The Examiner, however, responded on May 18, 2005 with an advisory action refusing to consider the First Reply and Amendment under 37 C.F.R. §1.116, because the proposed amendment added too many claims. The Examiner did not mention §101 in his advisory action. This amendment has corrected this discrepancy in the number of added claims and thus, entry of the amendment is requested.

V.   Second Reply and Amendment under 37 C.F.R. §1.116

Applicants submitted a Reply and Amendment After Final on April 28, 2005. In this Reply, Applicants amended claims 2-9 and 12, cancelled claims 1, 16-20 and added claims 21-30. On May 8, 2005, the Examiner issued an Advisory Action refusing to enter the April 28th Reply and Amendment After Final. The Applicants then submitted on May 25, 2005, a Second Reply and Amendment After Final. In the Second Reply and Amendment After Final, Applicants used claim identifiers based on the fact that the April 28, 2005 Amendment had not been entered; *i.e.* still Applicants identified the amended and cancelled claims and newly added claims relative to the claims as they stood at Final Rejection. In a telephone conversation on June 3, 2005, Examiner Ehichioya told Applicant's representative that the claims in the Second
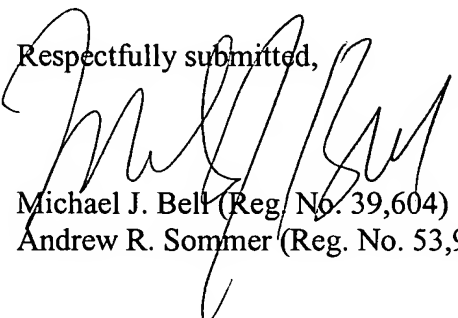
Amendment and Reply After Final should represent changes from the original Amendment After

Final. Thus, in the attached Listing of Claims, Applicants have done so. Applicants respectfully

request action on the merits.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

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Andrew R. Sommer (Reg. No. 53,932)

Date: **June 3, 2005**

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